

REMARKS

Upon entry of the foregoing amendments, claims 1-16 and 19-41 are pending in this application. In the Office Action dated October 6, 2004, claims 1-41 are rejected in view of the prior art under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a). Each specific rejection is addressed below. With this reply, claim 11 has been amended to more clearly distinguish the cited prior art, claims 17 and 18 have been canceled without prejudice, and claim 19 has been amended to depend from independent claim 11. A detailed listing of all claims pending in the application is presented with an appropriate status identifier for each. Applicants respectfully requests favorable reconsideration of the pending claims in view of the foregoing amendment and the reasons that follow.

1. Rejection of claims 1-9 and 32-37 under 35 U.S.C. § 102(b) based on Kitamura.

In the Office Action, claims 1-9 and 32-37 are rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Pat. No. 5,762,265 to Kitamura et al. ("Kitamura"). As explained below, the cited reference fails to disclose the claimed invention.

With regard to independent claim 1, Applicants respectfully submit that Kitamura fails to disclose all of the elements as combined therein. Specifically, Kitamura fails to disclose "a message processing system ... containing a predefined message filtering criterion which is applied to received complaint messages and generating a warning when the received compliant messages satisfy the predefined message filtering criterion" and "a display device coupled to the message processing system and presenting the warning to management of the building" as included in the combination of elements of independent claim 1.

The Office Action states that Kitamura discloses "a message processing system ... containing a predefined message filtering criterion which is applied to received complaint messages and generating a warning when the received compliant messages satisfy the predefined message filtering criterion." In support of this statement, the Office Action further states that "[a]s regards generating [a] warning see Figs. 15a and 15b, reference numbers 'S 11-set flag indicating cold-caused complaint' and 'S24-Set flag indicating warmth-caused complaint.'" The Office Action also states that Kitamura discloses "[a] display device

coupled to the message processing system and presenting [the warning] to the management of the building.” In support of this statement, the Office Action cites “at least Fig. 15b, ‘6-Display content of complaint on air-conditioning control manager’s monitor’ and col. 21, lines 49-67.”

Kitamura does not disclose the message processing system or the display device as included in the combination of elements of independent claim 1 for at least the following two reasons. First, Kitamura does not disclose that the “flags” cited in the Office Action are presented to management of a building or associated with a warning presented to management of a building using the cited display or any other display. Second, Kitamura does not disclose that the “content of the complaint” of the received vote that is sent to the display cited in the Office Action is a warning generated by a message processing system when a predefined message criteria is satisfied by the message. Kitamura makes no mention of a message processing system for generating a warning when a predefined message criteria is satisfied in combination with a display for presenting the warning. Thus, Kitamura fails to disclose all of the elements of independent claim 1 as combined therein. Accordingly, Applicants respectfully submit that independent claim 1 is patentable over the cited reference for at least the foregoing reasons, and request that the rejection of independent claim 1 under 35 U.S.C. § 102(b) as being unpatentable over Kitamura be withdrawn. Additionally, claims 2-9 depend from independent claim 1 and are patentable over the cited reference for at least the reason that they add further limitations to a patentable base claim. Accordingly, Applicants further request that the rejection of claims 2-9 under 35 U.S.C. § 102(b) be withdrawn as well.

With regard to independent claim 32, Applicants respectfully submit that Kitamura fails to disclose all of the elements as combined therein. Specifically, Kitamura fails to disclose “generating a warning when the received complaint messages satisfy the predefined message filtering criterion,” and “presenting the warning to management of the building” as included in the combination of steps of independent claim 32. Further, the Office Action states that “[r]egarding claims 32-27, their limitations are closely parallel to the limitations already covered in apparatus claims 1-7 and are therefore analyzed and rejected on the same

basis. Accordingly, claims 32-37 are patentable over Kitamura for at least reasons similar to those cited above with regard to claims 1-7.

For example, with regard to independent claim 32, Kitamura does not disclose that the “flags” cited in the Office Action are presented to management of a building or associated with a warning presented to management of a building, and further does not disclose that the “content of the complaint” of the received vote that is sent to the display cited in the Office Action is a warning generated by a message processing system when a predefined message criteria is satisfied by the message. Kitamura makes no mention of generating a warning when a predefined message criteria is satisfied in combination with presenting the warning to management of the building. Thus, Kitamura fails to disclose all of the elements of independent claim 32 as combined therein. Accordingly, Applicants request that the rejection of independent claim 32 under 35 U.S.C. § 102(b) as being unpatentable over Kitamura be withdrawn. Additionally, claims 33-37 depend from independent claim 32 and are patentable over the cited reference for at least the reason that they add further limitations to a patentable base claim. Accordingly, Applicants further request that the rejection of claims 33-37 under 35 U.S.C. § 102(b) be withdrawn as well.

2. Rejection of claims 10, 28-29, and 38-41 under 35 U.S.C. § 103(a) based on Kitamura in view of Official Notice.

In the Office Action, claims 10, 28-29, and 38-41 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kitamura in view of Official Notice. The Official Notice taken is “both the concept and benefits of comprising a server on the communication network to receive information and including a storage device to store received information. The Office Action states “[t]he use of client server architecture is notoriously well-known at the time of the applicant’s invention because it helps the users/occupants to access web pages/resources from the world wide web to obtain information, which could relate to the environmental conditions of the building, news, articles, information needed for their work, receive and storing e-mails and sending e-mails, etc. As explained below, the cited combination of references fails to disclose the claimed invention.

With regard to claims 10 and 28-29, which depend from independent claim 1, the Office Action states “[i]n view of the Official Notice, it would have been obvious ... to have modified Kitamura to incorporate the feature of client server architecture because that would further help the occupants and management of the building to access world wide web to receive a variety of information and services, such as news, information related to their work, personal use, functions of an e-mail server, etc.” However, as explained above with regard to independent claim 1, Kitamura makes no mention of a message processing system for generating a warning when a predefined message criteria is satisfied in combination with a display for presenting the warning. Since the Official Notice was taken only for the use of client server architecture to access web pages and resources from the world wide web, it fails to make up for the above-noted deficiencies in Kitamura with regard to independent claim 1. Thus, Kitamura in view of Official Notice fails to render obvious the subject matter of claims 10 and 28-29 for at least the reason that they add further limitations to a patentable base claim. Accordingly, Applicants respectfully submit that claims 10 and 28-29 are patentable over the cited combination of references for at least the foregoing reasons and request that the rejection of claims 10 and 28-29 under 35 U.S.C. § 103(a) be withdrawn.

With regard to claims 38-41, which depend from independent claim 32, the Office Action states that “their limitations closely parallel to the limitations already covered in apparatus claims 10 and 28-29 and are therefore analyzed and rejected on the same basis.” Accordingly, claims 38-41 are patentable over Kitamura for at least reasons similar to those cited above with regard to claims 10 and 28-29. For example, as explained above with regard to independent claim 32, Kitamura makes no mention of “generating” a warning when a predefined message criteria is satisfied in combination with presenting the warning to management of the building. Since the Official Notice was taken only for the use of client server architecture to access web pages and resources from the world wide web, it fails to make up for the above-noted deficiencies in Kitamura with regard to independent claim 32. Thus, Kitamura in view of Official Notice fails to render obvious the subject matter of claims 38-41 for at least the reason that they add further limitations to a patentable base claim. Accordingly, Applicants respectfully submit that claims 38-41 are patentable over the cited

combination of references for at least the foregoing reasons and request that the rejection of claims 38-41 under 35 U.S.C. § 103(a) be withdrawn.

3. Rejection of claims 11-27 under 35 U.S.C. § 103(a) based on Narasimhan in view of Kitamura.

In the Office Action, claims 11-27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,073,165 to Narasimhan et al. ("Narasimhan") in view of Kitamura. As explained below, the cited combination of references fails to disclose the claimed invention.

With regard to independent claim 11, the Office Action states that Norseman discloses "an apparatus by which the occupants submit complaints regarding an operating condition of the building," a "storage device containing a log for complaints received from the occupants," and "a workstation coupled to the storage device to obtain and present information from the log to building management personnel." Independent claim 11 has been amended to recite "wherein the complaint agent applies a filtering criterion to received complaint messages and generates a warning when the received complaint messages satisfy the filtering criterion; and the workstation presents the warning to building management personnel." As correctly acknowledged in a previous Office Action dated October 9, 2003, Narasimhan does not disclose generating a warning when the received complaint messages satisfy the filtering criterion. Furthermore, as explained above, Kitamura makes no mention of generating a warning when a predefined message criteria is satisfied in combination with presenting the warning to management of the building and therefore does not make up for this acknowledged deficiency in Narasimhan. Thus, Narasimhan in view of Kitamura fails to render the claimed invention obvious. Accordingly, Applicants respectfully submit that independent claim 11, as amended herein, is patentable over the cited combination of references for at least the foregoing reasons and request that the rejection of independent claim 11 under 35 U.S.C. § 103(a) be withdrawn. Additionally, claims 12-16 and 18-23 depend from independent claim 11 and are patentable over the cited reference for at least the reason that they add further limitations to a patentable base claim. Accordingly, Applicants further request that the rejection of claims 11-16 and 18-23 under 35 U.S.C. § 103(a) be withdrawn as well.

With regard to independent claim 24, the Office Action states that “all the limitations are covered in claims 11, and 17 above and are therefore analyzed and rejected as unpatentable over Narasimhan in view of Kitamura on the same basis.” Accordingly, independent claim 24 is patentable over Narasimhan in view of Kitamura for at least reasons similar to those cited above with regard to independent claim 11, as amended herein. For example, as correctly acknowledged in a previous Office Action dated October 9, 2003, Narasimhan does not disclose generating a warning when the received complaint messages satisfy the filtering criterion. Furthermore, as explained above, Kitamura makes no mention of generating a warning when a predefined message criteria is satisfied in combination with presenting the warning to management of the building and therefore does not make up for this acknowledged deficiency in Narasimhan. Thus, Narasimhan in view of Kitamura fails to render the claimed invention obvious. Accordingly, Applicants respectfully submit that independent claim 24, as amended herein, is patentable over the cited combination of references for at least the foregoing reasons and request that the rejection of independent claim 24 under 35 U.S.C. § 103(a) be withdrawn. Additionally, claims 25-27 depend from independent claim 11 and are patentable over the cited reference for at least the same reasons. Accordingly, Applicants further request that the rejection of claims 25-27 under 35 U.S.C. § 103(a) be withdrawn as well.

4. Rejection of claims 30-31 under 35 U.S.C. § 103(a) based on Narasimhan in view of Kitamura and further in view of Official Notice.

In the Office Action, claim 30, which depends from independent claim 11, and claim 31, which depends from independent claim 24 are rejected as being unpatentable over Narasimhan in view of Kitamura and further in view of Official Notice. As explained above, Narasimhan does not disclose generating a warning when the received complaint messages satisfy the filtering criterion, and Kitamura makes no mention of generating a warning when a predefined message criteria is satisfied in combination with presenting the warning to management of the building and therefore does not make up for this deficiency in Narasimhan. Thus, the combination of Narasimhan in view of Kitamura does not disclose or suggest the subject matter of independent claim 11 or independent claim 24. Furthermore, since the Official Notice was taken only for the use of client server architecture to access web

pages and resources from the world wide web, it fails to make up for the above-noted deficiencies in Narasimhan in view of Kitamura with regard to independent claim 11 and independent claim 24. Thus claim 30, which depends from independent claim 11, and claim 31, which depends from independent claim 24 are patentable over the cited combination of references for at least the reason that they add further limitations to a patentable base claim. Accordingly, Applicants respectfully request that the rejection of claims 30 and 31 under 35 U.S.C. § 103(a) be withdrawn.

5. Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

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By Chad E. Bement

FOLEY & LARDNER LLP
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-5306
Telephone: (414) 297-5554
Facsimile: (414) 297-4900

Chad E. Bement
Attorney for Applicant
Registration No. 54,991